



# CITY OF HOUSTON

**Sylvester Turner**

Mayor

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Federal Communications Commission  
455 12<sup>th</sup> Street, SW  
Washington, DC 20554

May 10, 2017

Re: *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79; Wireless Infrastructure Deployment Ahead of Super Bowl LI

Dear Commissioners:

I am writing to urge the Commission to correct inaccurate statements made by Chairman Ajit Pai in the above-referenced Docket regarding the City of Houston's ("City" or "Houston") treatment of wireless network companies in advance of the 2017 Super Bowl. Chairman Pai's statements that the City subjected wireless network companies to onerous reviews for purposes of meeting historic preservation requirements are false and prejudicial to our City, which invested significant time and resources in ensuring the Super Bowl was successful and our visitors were safe.

Chairman Pai expressed concern in the Notice of Proposed Rulemaking and Notice of Inquiry and during an April 20, 2017, Open Commission Meeting that Houston subjected wireless network companies deploying their infrastructure to burdensome historic preservation requirements and that one wireless company "was forced to pay hundreds of thousands of dollars in total" to meet these requirements leading up to the Super Bowl. Neither statement is true. First, the NRG Stadium complex, where wireless networks would have likely deployed, is owned by Harris County Sports and Convention Corporation ("County Sports Authority") and is not City property nor subject to Houston's right-of-way review fees. The County Sports Authority advises that wireless network companies deployed on their property for the Super Bowl at no charge. Second, the area around the stadium is not a historic district and the City did not impose historic preservation requirements for wireless infrastructure around the stadium. Third, it is not possible that a wireless network company could have paid hundreds of thousands of dollars to Houston to complete a review for use of the right of way because the City charges a flat fee of \$111.82 for a plan review application and \$80.51 for extra page of plans. All wireless network companies pay this same published fee.

The Chairman's comments are an inaccurate reflection of Houston's commitment and effort in ensuring timely deployment leading up to the Super Bowl. Approval and permits for wireless networks were given priority when requested. City staff worked diligently in the months leading up to the Super Bowl to ensure wireless network companies' needs were addressed and several officials worked closely with the companies to assist them. Houston staff met with the wireless network companies and their contractors at deployment sites to coordinate installations. Reports about the wireless network coverage during Super Bowl were described as flawless.

The Chairman's allegations are prejudicial to our great City and discount the City's hard work in hosting this event and preparing for wireless network deployment. We ask that you either provide information regarding the source of the allegations so that we may respond or correct the record to acknowledge the inaccuracy.

Thank you for your consideration.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Sylvester Turner', written in a cursive style.

Sylvester Turner  
Mayor, City of Houston